

CHAPTER CCVIII.

AN ACT IN RELATION TO THE COUNTY OF CASS, AND TO ATTACH THE SAME TO THE COUNTY OF CROW WING.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That chapter seventy-nine (79) of the general laws of Minnesota for the year 1872, entitled "an act to provide for the organization of the county of Cass," approved March 4th, 1872, be and the same is hereby repealed, and the functions of all officers elected or appointed under the provisions of said act shall cease from and after the passage of this act, excepting as hereinafter provided, but such repeal shall not affect the validity of any indebtedness now existing against said Cass county, nor the validity of any taxes heretofore levied in said Cass county, but such taxes shall hereafter be collected as hereinafter provided.

SEC. 2. Said county of Cass is hereby attached to the county of Crow Wing for record and judicial purposes, and for the levy and collection, of state and other taxes, as hereinafter provided.

SEC. 3. No taxes shall be levied or collected in said Cass county, except for state purposes, for the payment of principal and interest of any present legal indebtedness of said county, and a reasonable sum as compensation for the county to which said Cass county is attached; *Provided*, That such annual compensation for the levy and collection of taxes and other expenses shall not exceed the aggregate sum of ten (10) mills per acre of land subject to taxation in said county, the amount of said compensation to be extended uniformly upon the taxable property of said county according to the assessed value thereof.

SEC. 4. All the public records of said county of Cass, and the safes and office furniture of said county shall be forthwith transferred to and kept in the possession and custody of said county of Crow Wing, for the use and benefit and as the property of said Cass county, and full settlement made between the officers of Cass county and the corresponding officers of Crow Wing county, and all funds, books and appurtenances turned over as is now required by law between incumbents and their successors in county offices, and the records of said county of Cass shall be kept separate and apart from the records of said county of Crow Wing, and in the books now owned by the county of Cass.

SEC. 5. For the purpose of ascertaining the legal indebtedness of said county of Cass, it is hereby made the duty of the auditor of Crow Wing county, as soon as may be after the passage of this act, to make a detailed schedule of all such indebtedness so far as the same can be ascertained from the books and records of Cass county and from the claims filed with him, showing; *First*—The bonded indebtedness of said county with date of issue of said bonds, their rate of interest and the

time of their maturity; *Second*—All other indebtedness; with dates, rate of interest and time of maturity: and to publish the same in some newspaper printed and published in Crow Wing county, once in each week for four weeks successively.

SEC. 6. Any resident or tax payer of said county of Cass, or any person owning lands in said county subject to taxation therein, may at any time during the time of such publication and for thirty days thereafter, file with the auditor of said county of Crow Wing objections in writing to the validity of any such indebtedness or any item thereof, and thereupon said county auditor shall file with the clerk of the district court for said Crow Wing county a certified statement of the item or items so objected to, with a certified copy of objections thereto, and all items not objected to shall be held and regarded as part of the legal indebtedness of said Cass county; *Provided*, That nothing herein contained shall be so construed as to authorize any person or persons to file any objections to the validity of any of the present bonded indebtedness of said Cass county, amounting to the sum of thirteen thousand dollars and the interest accrued or accruing thereon, nor in any manner to contest the validity of such bonds.

SEC. 7. The clerk of said court shall thereupon make and deliver to said county auditor a copy of said certified statement with a notice attached thereto, which may be substantially as follows:

STATE OF MINNESOTA, }	District Court,
Counties, &c. }	Eleventh Judicial District.

The state of Minnesota to all persons, companies or corporations who have any interest in and to the following claims or evidences of indebtedness against said county of Cass.

You and each of you are hereby notified that objections have been made and filed in the office of the clerk of said district court in said county of Crow Wing, which objections will be considered upon such evidence as may be offered concerning the same, at the next general term of said court, to be held at Brainerd, in said county, on the day of A. D. 187

Signed
Clerk of the District Court.

SEC. 8. Said court shall, by the publication of such notice, be deemed to have acquired jurisdiction to hear and determine upon the validity of any such indebtedness or any item or part thereof, and shall proceed at the general term thereof next after the completion of such publication, to hear all proper proofs and allegations in support of or against the validity of such indebtedness and to determine the same, and such determination, if in favor of the validity of any such indebtedness, shall be final and conclusive, and the clerk of said court shall forthwith certify to the auditor of Crow Wing county aforesaid all claims so held valid by the court upon such hearing.

SEC. 9. The officers of the Crow Wing county shall proceed to collect all unpaid taxes of the county of Cass, and as fast as collected apply the same except that portion thereof due the state of Minnesota to liquidating such legal indebtedness of said Cass county in the order of registration as far as practicable without regard to the original purposes for which they were levied; *Provided*, That the auditor of said

county of Crow Wing shall receive the sum of five (5) per cent. and the treasurer three (3) per cent of such collections as compensation, and after the collection of said taxes and the liquidation of all of said outstanding indebtedness, the over-plus, if any there shall be, shall be applied to the payment of the annual compensation for the levy and collection of taxes and for other expenses, in lieu of the levy authorized by this act, but if such collections shall be insufficient to meet such indebtedness as fast as the same shall mature, then the proper officers of said Crow Wing county, shall annually levy and collect upon the taxable property of said Cass county, such sums as may be necessary to pay such indebtedness as fast as the same shall become due. *Provided, however,* That no such tax shall be levied for the year 1876.

SEC. 10. This act shall take effect and be in force from and after its passage, but the said officers of said Cass county shall have six months from the passage hereof in which to comply with the provisions hereof, and may continue in office for that purpose at the salaries now prescribed by law, and for the purpose of receiving and paying over such taxes as may be paid in during said period of six months.

Approved March 3d, 1876.

CHAPTER CCIX.

AN ACT RELATIVE TO THE JUDGES OF THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT, AND TO MERGE THE COURT OF COMMON PLEAS OF RAMSEY COUNTY INTO SAID DISTRICT COURT.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. There shall be elected in the second judicial district, three judges of the district court of such district, any one or more of whom shall have and exercise the powers of the court as now prescribed by law, [relative] to the present judge of said court, except as otherwise provided by this act, and all laws now in force whether general or special, as to the qualifications, election, canvass of votes, oath and term of office, and commencement of such term, compensation, jurisdiction, duties, authority and powers of the present judge of said district court shall apply to all the judges of said court, and their successors shall be elected, and vacancies in their offices filled as now provided in relation to the said judge of said court. *Provided, however,* That the present judge of said court and the judges of the court of common pleas of the county of Ramsey shall be the judges of said district court for the unexpired terms, for which they were elected, and until their successors are elected and qualified. *And provided further,* That each of said judges of the said court of common pleas shall immediately after the passage of this act take and file an oath of office as